REMARKS

This responds to the Office Action mailed on January 23, 2008.

Claims 1, 18, and 21 are amended, claims 8-14 and 19 are canceled, and no claims are added; as a result, claims 1-7, 15-18, and 20-23 remain pending in this application.

Objections to the Drawings

The drawings were objected to for various informalities. A corrected set of drawings are supplied herewith, each sheet labeled as "REPLACEMENT SHEET." No amendments are made to the drawings.

§101 Rejection of the Claims

Claims 21-23 were rejected under 35 USC § 101 as being directed to non-statutory subject matter. Applicant has amended independent claim 21 to specify that the computer-readable medium is "physical" as suggested by the Examiner. As claim 21 is independent and the amendment carries through to claims 22-23 which depend therefrom. Entry of this amendment and withdrawal of the 35 U.S.C. § 101 rejection of claims 21-23 is respectfully requested.

§112 Rejection of the Claims

Claims 1-7 were rejected under 35 USC § 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections.

Claims 1-7 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

Applicant has amended independent claim 1 to address both 35 U.S.C. § 112, second paragraph rejections. In particular, independent claim 1 has been amended to include the requested structural cooperative relationships between the processor, memory, system area network connection, and the local area network connection. Applicant has also clarified the claims with regard to the system area network connection and a local area network connection.

Entry of these amendments and withdrawal of the 35 U.S.C. § 112 rejections is respectfully requested.

§*102 Rejection of the Claims*

Claims 1, 7, 15, 16 and 17-23 were rejected under 35 USC § 102(e) as being anticipated by Ackaouy et al. (U.S. 7,171,469; hereinafter "Ackaouy").

First, Applicant notes that the text of the Office Action properly identified Ackaouy. However, it appears the *Notice of References Cited* (Form PTO-892) included a typo. The *Notice of References Cited* identified patent 6,171,469 to Hough et al. entitled *Method and Apparatus for Increasing the Oxygen Content of Water* instead of 7,171,469 to Ackaouy, which seems to be the proper reference. Noting how the patent numbers are off only by a single digit, it seems this must by a typographical error. Applicant will address Ackaouy herein and requests that a *Notice of References Cited* properly identifying Ackaouy be included with the next Official Communication.

Applicant has cancelled claim 19.

With regard to the rejection of claims 1, 7, and 15-23 Applicant respectfully traverses these rejections as Ackaouy fails to teach or suggest all the elements of the claims. For example, each of the independent claims 1, 15, 18, and 21 similarly include "service requests for content located in a memory of another server" as provided in claim 1, "from memories of one or more other servers" as in claim 15, "fetching . . . web content from a memory of a second one of the web servers. . . ." as in amended claim 18, and "obtaining the content from the memory of another server" as in amended claim 21. Fetching the requested content from the memories of other servers increases performance by decreasing latency caused by disk access. For example, paragraph [0011] of the present application provides:

> "System **100** improves the scalability of the server cluster **122** by distributing the content across the cluster **122** of servers **114** to provide each server **114** with unique content. System **100** also increases performance of the cluster **122** by minimizing access to high-latency hard disk. Minimizing access to high-latency hard disk is achieved by storing the unique content on each server **114** in the higher-speed (or low-latency) server **114** memory **118**. Placing the unique content in the higher-speed memories **118** of the servers **114** allows for fetching of content on demand directly from the high-speed memories **118** of

other servers **114** in the cluster **122** across the interconnection **112** of the servers **114** in the cluster **122**."

Although Ackaouy may include proxy cache 115, there is no teaching or suggestion that the content is retrieved from memory of the servers 110 without accessing a disk.

Independent claim 1, as amended, further includes identifying a server holding the requested content "as a function of a table holding content availability and location data of content held in memory of one or more other servers." Independent claim 21, as amended, similarly includes "identifying another server of the plurality of interconnected servers holding the requested content in memory as a function of a table holding content availability and location data of content held in memory of each of the plurality of interconnected servers." Applicant is unable to find a teaching or suggestion of an equivalent data structure to the claimed tables holding content availability and location data in Ackaouy.

Thus, Applicant respectfully submits that independent claims 1, 15, 18, and 21, as amended, are novel at least because Ackaouy fails to teach or suggest both direct memory access to content held in a memory of another server and a table that may be used to identify where data may be accessed in memories of other servers.

Claims 7, 16-17, 20, and 22-23 depend, directly or indirectly, from one of patentable independent claims 1, 15, 18, and 21, and are patentable for at least the same reasons.

Applicant respectfully requests withdrawal of the 35 U.S.C. § 102(e) rejection and allowance of claims 1, 7, 15, 16, 17-18, and 20-23.

§*103 Rejection of the Claims*

Claims 2-4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ackaouy.

Applicant respectfully submits that claims 2-4 are patentable because they depend from patentable independent claim 1, plus the elements of the claims.

Withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of claims 2-4 is respectfully requested.

Claims 5-6 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Ackaouy et al. in view of Yeh et al. (Introduction to TCP/IP Offload Engine (TOE), Version 1.0, 10GEA Alliance, April 2002).

Applicant respectfully submits that claims 5-6 are patentable because they depend from patentable independent claim 1. Withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of claims 5-6 is respectfully requested.

Claims 8-9 and 12-14 were also rejected under 35 USC § 103(a) as being unpatentable over Jordan et al. (U.S. 6,438,652; hereinafter "Jordan").

Claims 10-11 were also rejected under 35 USC § 103(a) as being unpatentable over Jordan in view of Schuh et al. (U.S. 7,254,617; hereinafter "Schuh").

Applicant has cancelled claims 8-14.

RESERVATION OF RIGHTS

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 373-6938) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, Minnesota 55402
(612) 373-6970

By /Charles E. Steffey/
Charles E. Steffey
Reg. No. 25,179